HIGH COURT OF UTTARANCHAL AT NAINTAL

Bail Application No. 1166 of 2006

CRIMINAL SIDE

Vinay Vashistha s/o Sri Munesh
R/o Bans Mandi Rampura Nazibabad
P.S. Nazibabad District Bijnor

.....Applicant in Jail

Versus

State of Uttaranchal

..... Opposite Party

Case crime No. 359 of 2006
Under Sections 420, 379, 411 I.P.C. Police Station Dalanwala, District Dehradun.

Dated: 21.12.2006

By the Court

Hon'ble Rajesh Tandon, J.

Heard Sri K.S. Verma, Advocate for the applicant and the A.G.A. for the Prosecution.

The applicant has applied for bail in case crime No. 359 of 2006, for the Offences punishable under section 420, 379, 411 I.P.C. Police Station, Dalanwala, District Dehradun.

The first information report has been lodged by the complainant Smt. Bishambhari Rawat stating therein that on 6.11.2006 at 11.00 AM at P.S. Dalanwala, District Dehradun she was cheated by a boy at State Bank India, Dharampur, Dehradun.

Counsel for the applicant has submitted that the F.I.R. was lodged after 24 houses of the alleged incident. During the trial before Chief Judicial Magistrate, Dehradun both the eye witnesses P.W.1 Bishambhari Rawat and Smt. Indu Dhaundiyal during their statements in the Court, have denied to indentify the accused person as the culprit who snatched A.T.M. card. Copies of statements of P.W.1 Smt. Bishambhari Rawat and Smt. Indu Dhuandiyal have been filed by the applicant.

Without expressing anything on the merit of the case, I am of the opinion that it is a fit case for bail.

Let the accused applicant be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

Rajesh Tandon, J.

Dated 21.12.2006
*Dhyani